



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

FULWIDER PATTON LLP
HOWARD HUGHES CENTER
6060 CENTER DRIVE, TENTH FLOOR
LOS ANGELES CA 90045

MAILED

JUN 21 2010

OFFICE OF PETITIONS

In re Application of
Pamela A. KRAMER et al.
Application No. 10/032,659
Filed: October 25, 2001
Attorney Docket No. ACS-
54306(G2257O1.US)

DECISION ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed October 21, 2009, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned as a result of petitioner's failure to file a complete and proper appeal brief within the time period provided in 37 CFR 41.37(a)(1). As a complete and proper appeal brief was not filed within one (1) month of the Notification of Non-Compliance with 37 CFR 41.37(c)(1), mailed June 03, 2009, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. *See* 37 CFR 1.197(b). As no claim was allowed, the application became abandoned on July 04, 2009. *See* MPEP 1215.04.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a corrected appeal brief, (2) the petition fee of \$1,620.00, and (3) a proper statement of unintentional delay. Accordingly, the reply to the notification of non-compliance of June 03, 2009 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-4231.

This application is being referred to Technology Center AU 3773 for appropriate action by the Examiner in the normal course of business on the reply received.

A handwritten signature in black ink, appearing to read "Michelle R. Eason".

Michelle R. Eason
Paralegal Specialist
Office of Petitions